IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. REV. No.661 of 2007
RAGHUNATH CHAUDHARY
Versus
INDU DEVI
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5 15.9.2008 This revision application has been preferred against the order dated 11.1.2007 passed by the Principal Judge, Family Court, Muzaffarpur in Maintenance Case No. 150/2002 thereby the petitioner has been directed to pay maintenance of Rs.2000/- per month to opposite party .

Heard learned counsel for the parties.

It is submitted that the opposite party left the house of the petitioner without any reason. In lieu of maintenance eleven katha of land has already been given to the opposite party. It is further submitted that no opportunity was given by the court below to the petitioner to contest the case and in haste the court below decided the case.

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Considered the submission of learned counsel for the parties. Perused the impugned order.

On perusal of the impugned order it is quite apparent that the petitioner did not cooperate in disposal of the case. Several adjournments were granted to the petitioner to cross examine the witnesses and to adduce evidence but in order to linger the case he neither cross examined P.Ws. nor examined his own witness. Under such circumstances, the court below finally disposed of the case on the basis of evidence adduced by opposite party. I see no illegality in the impugned order.

So far the merit of the case is concerned, the entire evidence is ex parte.Apart from that the admitted fact is that the opposite party is legally wedded wife of the petitioner and Bikram Choudhary is his son.

Under the facts and circumstances of the case, the court below has rightly awarded maintenance to opposite party. I find no illegality or impropriety in the impugned order requiring interference under the revisional jurisdiction. Accordingly, this application stands dismissed.

B.Jha **(Ghanshyam Prasad)**

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